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Attorney Docket No.: 60568-8001.US02



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: TUDAN ET AL.

APPLICATION No.: 10/086,177

FILED: February 26, 2002

FOR: CXCR4 AGONIST TREATMENT OF  
HEMATOPOIETIC CELLS

EXAMINER: BUNNER, BRIDGET E.

ART UNIT: 1647

CONF. No: 1250

**Information Disclosure Statement After First Office Action but Before  
Final Action or Notice of Allowance 37 CFR 1.97(c)**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

The information transmitted herewith is being filed *after* three months of the filing date of this application or after the mailing date of the first Office action on the merits, whichever occurred last, but *before* the mailing date of either a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of references 1-18 are issued patent(s) and published application(s) and are not included (see C.F.R. § 1.98(a)(2)(i)).
- ☒ This application is a continuation application under 37 C.F.R. §1.53(b) or (d). Copies of publications 22-30, 32-39, 41, 43-48, 50-53, 56-62, 64, 67, 69-73, 75, 77-80, 84 and 86-92 listed on Form PTO-1449 from prior application serial No. 09/835,107, filed on April 12, 2001, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- ☒ Copies of References 19-21, 31, 40, 42, 49, 54, 55, 63, 65, 66, 68, 74, 76, 81-83, 85 and 93 are enclosed.

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01 FC:1006 100.00 DA

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment (37 C.F.R. § 1.97(c)) or Certification (37 C.F.R. § 1.97(e))

☒ Applicant elects to pay the fee under 37 CFR 1.17(p) in the amount of \$180.00.

☒ Please charge Deposit Account No. 50-2207 in the amount of \$180.00.


☒ The Commissioner is hereby authorized to charge any deficiency in fees to ensure timely submission of these papers to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,  
Perkins Coie LLP

Date: 4/12/07

  
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Brian S. Boyer  
Registration No. 52,643

**Correspondence Address:**

Customer No. 22918

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Form PTO-1449 (Modified)  
(Use several sheets if necessary)

**COMPLETE IF KNOWN**

Application Number	10/086,177
Confirmation Number	1250
Filing Date	February 26, 2002
First Named Inventor	Tudan <i>et al.</i>
Group Art Unit	1647
Examiner Name	Bunner, Bridget E.
Attorney Docket No.	60568-8001.US02

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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1	5,350,836		Kopchick <i>et al.</i>	9/27/94	
	2	5,401,651		Walz	3/28/95	
	3	6,356,887	B1	Berenson, <i>et al.</i>	3/12/02	
	4	6,515,001	B2	Saxena, <i>et al.</i>	2/04/03	
	5	6,613,742		Huang <i>et al.</i>	9/2/03	
	6	6,693,134	B2	Saxena, <i>et al.</i>	2/17/04	
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	10	2002/0156034	A1	Tudan, <i>et al.</i>	10/24/02	
	11	2003/0125380	A1	Saxena, <i>et al.</i>	7/03/03	
	12	2003/0092674	A1	Saxena, <i>et al.</i>	5/15/03	
	13	2003/0045550	A1	Saxena, <i>et al.</i>	3/06/03	
	14	2003/0004136	A1	Saxena, <i>et al.</i>	1/02/03	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
	19	PCT	WO 91/04274		Genetics Institute, Inc. <i>et al.</i>	4/04/91		
	20	PCT	WO 93/13206		British Bio Technology Limited	7/08/93		
	21	PCT	WO 00/66112		PCT	9/11/00		
	22	PCT	WO 01/76615		Salari, <i>et al.</i>	10/18/01		

EXAMINER

DATE CONSIDERED

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Attorney Docket No.	60568-8001.US02					
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		Office	NUMBER	Kind Code (if known)				
	23	PCT	WO 01/85196		Tudan, <i>et al.</i>	11/15/01		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.		T
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